

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Rolando Vasquez	Team: Squad #5	CCRB Case #: 201709342	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Sunday, 11/05/2017 7:19 PM	Location of Incident: § 87(2)(b)	Precinct: 66	18 Mo. SOL 5/5/2019	EO SOL 5/5/2019	
Date/Time CV Reported Mon, 11/13/2017 3:18 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 11/13/2017 3:18 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Nicholas Long	02757	960821	066 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Michael Longobardo	27542	960822	066 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Nicholas Long	Abuse: Police Officer Nicholas Long threatened to arrest § 87(2)(b)	§ 87(2)(b)
B.POM Nicholas Long	Abuse: Police Officer Nicholas Long refused to provide his name and shield number to § 87(2)(b)	§ 87(2)(b)

Case Summary

This complaint was filed by § 87(2)(b) on November 13, 2017 with the CCRB by phone.

On November 5, 2017, at approximately 7:19 p.m., at § 87(2)(b) in Brooklyn, § 87(2)(b) reportedly became involved in a dispute with a tenant of her building, § 87(2)(b) which resulted in the police being called to the location. PO Nicholas Long and PO Michael Longobardo of the 66th Precinct responded to the location. PO Long allegedly threatened to arrest § 87(2)(b) while she was explaining her side of the dispute (**Allegation A: Abuse of Authority**, § 87(2)(g)). PO Long allegedly refused to provide his name and shield number to her as he left the location (**Allegation B: Abuse of Authority**; § 87(2)(g)).

No summonses or arrests resulted from this incident.

There is no video evidence of this incident.

Findings and Recommendations

Allegation A – Abuse of Authority: Police Officer Nicholas Long threatened to arrest

§ 87(2)(b)

Allegation B – Abuse of Authority: Police Officer Nicholas Long refused to provide his name and shield number to

§ 87(2)(b)

§ 87(2)(b) testified that she was taking out the trash in front of her building when she was confronted by one of her tenants, § 87(2)(b) (BR01). § 87(2)(b) pushed § 87(2)(b) and a brief struggle ensued while § 87(2)(b) tried to steady herself. § 87(2)(b) called the police. PO Long and PO Longobardo arrived at the location. The officers spoke with § 87(2)(b) while § 87(2)(b) waited inside her home. § 87(2)(b) invited the officers into her home to speak with them about § 87(2)(b). § 87(2)(b) expressed various complaints to the officers about the conduct of her tenants such as failure to pay rent and failure to tidy up the common areas of the home. PO Long told § 87(2)(b) that she should take § 87(2)(b) to court. § 87(2)(b) complained she could not afford to do so. PO Long told § 87(2)(b) “You talk like a baby. If you don’t stop talking, I’m going to arrest you right now. Not when they call me tomorrow; I’ll arrest you now. If she calls again tomorrow, I’m going to arrest you.” § 87(2)(b) did not respond because she was afraid. § 87(2)(b) testified that the officers went back outside and spoke with § 87(2)(b) in front of the house. § 87(2)(b) followed and asked the officers for their name and shield numbers. PO Long said, “No. I don’t want to give you nothing. I’m not giving it to you.” PO Long never provided his name. § 87(2)(b) did not ask him for his name or shield number again. PO Longobardo provided § 87(2)(b) with his name and she wrote it down.

The investigation was unable to obtain a statement from § 87(2)(b) who was identified as § 87(2)(b)’s tenant. On December 1, 2017, the undersigned interviewed § 87(2)(b) at her home. Following the interview, the undersigned knocked on the door to the upper level of the home where § 87(2)(b) resides and there was no answer (BR02). The undersigned left a please call letter and a business card at the residence. § 87(2)(b) provided § 87(2)(b)’s cell phone

number and the house landline. These phone numbers were also listed on the event documents associated with this incident (BR03). Voicemail messages requesting a call back were left on the cell phone and no voicemail box was available on the landline. A second letter was also mailed to § 87(2)(b) on December 13, 2017. No response was ever received from § 87(2)(b)

The aforementioned event documents revealed that the caller reported that § 87(2)(b) was pushing and shoving § 87(2)(b) at the location (BR03).

§ 87(2)(g)

The officers responded to the location in response to a radio run regarding a landlord-tenant dispute at the house. Upon arriving, § 87(2)(b) explained to the officers that § 87(2)(b) had cut off the power and heat to her apartment. The officers spoke with § 87(2)(b) inside her home. PO Long advised § 87(2)(b) that shutting off her tenant's power and heat constitutes unlawful eviction for which she could be arrested. § 87(2)(b) was loud and yelling while she spoke with the officers, though neither officer could detail what she was talking about. PO Long never had to try and calm down § 87(2)(b). The matter was resolved when § 87(2)(b) agreed to turn the power and heat back on. § 87(2)(b) was advised that she had to resolve any problems with § 87(2)(b) through landlord-tenant court.

PO Long testified that aside from advising § 87(2)(b) that unlawful eviction is an arrestable offense, he never threatened to arrest § 87(2)(b). As the officers were leaving, § 87(2)(b) stated that she wanted one of the officers' names for her records in the event she went to landlord-tenant court. PO Longobardo provided his name to § 87(2)(b) and she wrote it down. § 87(2)(b) never asked PO Long specifically for his name and shield number and he never refused to provide this information to her. PO Long described that § 87(2)(b) was primarily frustrated with § 87(2)(b) and never seemed to have a problem with the officers.

PO Longobardo did not recall if PO Long ever threatened to arrest § 87(2)(b). PO Longobardo did not recall if § 87(2)(b) ever asked PO Long for his name and shield number or if he ever refused to provide this information to her. PO Longobardo did not recall if § 87(2)(b) ever asked him for his name and shield number.

NYC Administrative Code 26-521(a)(2) states that it is unlawful for any person to evict or attempt to evict an occupant of a dwelling by means of "engaging in a course of conduct which interferes with or is intended to interfere with or disturb the comfort, repose, peace or quiet of such occupant in the use or occupancy of the dwelling unit, to induce the occupant to vacate the dwelling unit including, but not limited to, the interruption or discontinuance of essential services" (BR10).

PG 203-09 states that officers must courteously and clearly state their name, rank, shield number, and command upon request (BR06).

§ 87(2)(g)

§ 87(2)(g)
[REDACTED]

§ 87(2)(g)
[REDACTED]

Civilian and Officer CCRB Histories

- This is the first complaint filed by § 87(2)(b) with the CCRB (BR07).
- PO Long has been a member of the service for two years and this is his first complaint.

Mediation, Civil and Criminal Histories

- This complaint was suitable for mediation and it was offered to § 87(2)(b) over the phone and during her interview. § 87(2)(b) chose to have the complaint investigated.
- The NYC Comptroller's office responded to a request indicating that no notice of claim has been filed regarding this incident (BR08).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: 5

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date